

agents effective as a treatment, remedy, and cure for lameness and joint affections, cholera morbus, diarrhoea, neuralgia, toothache, sick headache, ordinary headache, earache, croup, caked breasts, lame back, asthma, pain in the side, corns, bunions, chilblains, gout, contracted cords, sore throat, rheumatism, inflammatory rheumatism, colic, and indigestion; or effective as an instant relief and speedy cure for poisoning from gypsy and brown-tail moths; or effective as a relief for pain.

On June 6, 1932, a plea of not guilty, which had been formerly entered, having been retracted, a plea of guilty was entered on behalf of the defendant company, and the court imposed a fine of \$100.

ARTHUR M. HYDE, *Secretary of Agriculture.*

1948i. Misbranding of Rico rheumatism remedy and Rico tablets. U. S. v. 24 Bottles of Rico Rheumatism Remedy, et al. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 27907, 27908. I. S. Nos. 52818, 52819. S. No. 5926.)

The Rico rheumatism remedy involved in this action was labeled as containing no mineral substance and as being harmless. Examination showed that it contained a mineral drug which might be harmful. The Rico tablets were represented to contain no salicylic acid, or anything else injurious, whereas they contained a salt of salicylic acid and other ingredients which might be injurious. The labels of both articles bore unwarranted curative and therapeutic claims.

On March 14, 1932, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid libels praying seizure and condemnation of 24 bottles of the said Rico rheumatism remedy and 11 boxes of the said Rico tablets at Cincinnati, Ohio, consigned by the Rico Medicine Co., Chicago, Ill., alleging that the articles had been shipped from Chicago, Ill., in part on or about September 29, 1931, and in part on or about November 9, 1931, and had been transported from the State of Illinois into the State of Ohio, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of Rico rheumatism remedy by this department showed that it was a liquid composed of potassium iodide (5.6 grams per 100 milliliters), a small proportion of material derived from plants such as celery, alcohol, and water. Analysis of a sample of Rico tablets showed that they contained in each: Ammonium salicylate (62 milligrams), potassium iodide (3 milligrams), an iron compound, and extracts of plant drugs, including a laxative drug, coated and colored.

It was alleged in the libels that the articles were misbranded in that the following statements appearing in the labeling were false and misleading: (Rico rheumatism remedy, carton) "Rico has in it no * * * or anything else injurious, * * * Rico Rheumatism Remedy Contains neither * * * nor Mineral;" (Rico rheumatism remedy, bottle) "Harmless Remedy * * * Serial No. 2810. Guaranteed by J. S. Brizolara, under U. S. Pure Food and Drugs Act;" (Rico tablets, box) "Rico Has in it No Salicylic Acid, * * * or Anything Else Injurious. * * * Rico is Guaranteed under United States Pure Food and Drugs Law by J. S. Brizolara. Serial Number 2810." Misbranding was alleged for the further reason that the following statements regarding the curative or therapeutic effects of the said articles, were false and fraudulent, since they contained no ingredients or combinations of ingredients capable of producing the effects claimed: (Rico rheumatism remedy, bottle) "Relieving Reliable * * * Rheumatism Remedy;" (Rico rheumatism remedy, carton) "Rheumatism Remedy * * * For Rheumatism (Acute, Inflammatory, Muscular) Gout, Sciatica, * * * Uric Acid Solvent Indicated in Gastric, Hepatic, and Renal Disorders. Especially beneficial in Rheumatism and Gout, and all affections of the Uric Acid Diathesis, Sciatica, * * * Articular, Derangements of Liver and Kidneys and Various Symptoms of Rheumatism in all of its forms. * * * Rheumatism Remedy. * * * Rheumatism Remedy;" (Rico tablets, package) "For all Forms of Rheumatism, Blood Poison, Skin Diseases, Kidney and Liver Complaints. Uric Acid Solvent."

On April 29, 1932, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*